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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/321,204	05/27/1999	YOUZOU MATSUDA	2589-4	6143

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EXAMINER

PHAN, JOSEPH T

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 08/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/321,204

Applicant(s)

MATSUDA ET AL.

Examiner

Joseph T Phan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/21/02, paper #7.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 May 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-16 rejected under 35 U.S.C. 102(e) as being anticipated by Kim, Patent #5,774,537.**

Regarding claim 1, Kim teaches a portable electronic apparatus(Fig.1) incorporating software and having a telephoning function, comprising:

a first memory for storing a plurality of sets of initial data for the software to cope with various kinds of area data and languages so that the portable electronic apparatus utilizes the area data of an area in which the portable electronic apparatus is used and displays in a language corresponding to the area data (10 Fig.1 and col.3 lines 37-48) input means for allowing entry of area data, a language corresponding thereto, and an additional language used in an area in which the portable electronic apparatus is used (120 Fig.1 and col.3 lines 13-48); and

a second memory for storing the area data, the language corresponding thereto, and the additional language entered through the input means, wherein, when the software is initialized, initial data corresponding to the area data, the language corresponding

thereto, and the additional language stored in the second memory is selected from the initial data stored in the first memory (10 and 20 Fig.1 and col.3 line 38-col.4 line 21).

Regarding claim 2, Kim teaches a portable electronic apparatus as claimed in claim 1, further comprising:

editing means for allowing the selected initial data to be edited by a user and storing means for storing the initial data edited by the user in the second memory(120 Fig.1 and col.3 line 38-col.4 line 21).

Regarding claim 3, Kim teaches a portable electronic apparatus as claimed in claim 2, wherein, when the software of the portable electronic apparatus having the telephoning function is initialized by use of the initial data corresponding to the area data, the language corresponding thereto, and the additional language as edited by the user, the initial data is checked so that, if incorrect data is found therein, the initial data edited by the user is automatically deleted and the software of the portable electronic apparatus having the telephoning function is initialized by use of the initial data corresponding to the area data, the language corresponding thereto, and the additional language as initially set (col.3 line 38-col.4 line 21).

Regarding claim 4, Kim teaches a portable electronic apparatus as claimed in claim 2, further comprising:

a key that is operated to delete the initial data edited by the user (120 Fig.1, col.2 lines 1-6, and col.3 line 37-col.4 line 21).

Regarding claim 5, Kim teaches a portable electronic apparatus as claimed in claim 4, wherein, when the software of the portable electronic apparatus having the

telephoning function is initialized by use of the initial data corresponding to the area data, the language corresponding thereto, and the additional language as edited by the user, the initial data is checked so that, if incorrect data is found therein, the initial data edited by the user is automatically deleted and the software of the portable electronic apparatus having the telephoning function is initialized by use of the initial data corresponding to the area data, the language corresponding thereto, and the additional language as initially set (col.3 line 38-col.4 line 21).

Regarding claim 6, Kim teaches a portable electronic apparatus as claimed in claim 4, wherein, when the key that is operated to delete the initial data edited by the user is operated, the initial data edited by the user is deleted and the software of the portable electronic apparatus having the telephoning function is initialized by use of the initial data corresponding to the area data, the language corresponding thereto, and the additional language as initially set (col.3 line 38-col.4 line 21).

Regarding claim 7, Kim teaches a portable electronic apparatus as claimed in claim 6, wherein, when the software of the portable electronic apparatus having the telephoning function is initialized by use of the initial data corresponding to the area data, the language corresponding thereto, and the additional language as edited by the user, the initial data is checked so that, if incorrect data is found therein, the initial data edited by the user is automatically deleted and the software of the portable electronic apparatus having the telephoning function is initialized by use of the initial data corresponding to the area data, the language corresponding thereto, and the additional language as initially set (col.3 line 38-col.4 line 21).

Regarding claim 8, Kim teaches a portable electronic apparatus(Fig.1) incorporating software and having a telephoning function, comprising: a first memory area for storing software(10 and 20 Fig.1); a second memory area for storing a plurality of sets of initial data for the software corresponding to area data for an area in which the portable electronic apparatus is used and a first language for use as a language corresponding to the area data so that the portable electronic apparatus is usable in a plurality of areas and languages (10 Fig.1 and col.3 line 38-col.4 line 21); a third memory area for storing an index to the initial data; input means for allowing selection and entry of the area data, the first language, and a second language used as an additional language (10 and 20 Fig.1 and col.3 line 38-col.4 line 21); a fourth memory area for storing area and language data used to initialize the software (10 and 20 Fig.1 and col.3 line 38-col.4 line 21); a fifth memory area for storing a flag indicating data is edited by input of the area data, the first language, or the second language through the input means; and a sixth memory area for storing the area data, the first language, and the second language which are input through the input means (10 and 20 Fig.1 and col.3 line 38-col.4 line 21); wherein, when the flag in the fifth memory area is not set, the portable electronic apparatus reads out the area and language data from the fourth memory area, acquires from the third memory area an index to the initial data corresponding to the area and language data, and initializes the software in the first memory area by using the initial

data specified by the index and stored in the second memory area, and when the flag in the fifth memory area is set, the portable electronic apparatus initializes the software in the first memory area by using the area data, the first language, and the second language in the sixth memory area (col.3 line 38-col.4 line 21).

Regarding claim 9, Kim teaches a portable electronic apparatus as claimed in claim 8, wherein, when the software of the portable electronic apparatus having the telephoning function is initialized by use of the initial data corresponding to the area data, the first language, and the second language, the initial data is checked so that, if incorrect data is found therein, the initial data input through the input means is automatically deleted and the software of the portable electronic apparatus having the telephoning function is initialized by use of the initial data corresponding to the area data, the first language, and the second language as initially set (col.3 line 38-col.4 line 21).

Regarding claim 10, Kim teaches a portable electronic apparatus as claimed in claim 8, further comprising:
a key that is operated to delete the initial data input through the input means (120 Fig.1, col.2 lines 1-6, and col.3 line 37-col.4 line 21).

Regarding claim 11, Kim teaches a portable electronic apparatus(Fig.1) having a telephoning function comprising: a first memory area storing a software application (10 and 20 Fig.1); a second memory area storing different sets of initialization data for initializing the software application stored in the first memory area (10 fig.1 and col.3 line 38-col.4 line 21);

an input device(120 Fig.1) operable by a user of the apparatus to input a selected geographic area and at least one selected language (*col.3 line 38-col.4 line 21; the language selected corresponds to a geographic area*);

a third memory area storing the user-selected geographic area and language (10 and 20 Fig.1 and col.3 line 38-col.4 line 21); and control circuitry for initializing the software application by accessing one of the sets of initialization data stored in the second memory area based on the user-selected geographic area and language stored in the third memory area (Fig.1 and col.3 line 38-col.4 line 21).

Regarding claim 12, Kim teaches the portable electronic apparatus as claimed in claim 11, further comprising: a fourth memory area storing a pre-selected geographic area and language (10 and 20 Fig.1); and a fifth memory area storing a flag which is set/cleared to indicate that a user selected geographic area and language are stored in the third memory area and which is cleared/set to indicate that no user-selected geographic area and language are stored in the third memory area, wherein if the flag indicates that no user-selected geographic area and language are stored in the third memory area, the control circuitry initializes the software application by accessing one of the sets of initialization data stored in the second memory area based on the pre-selected geographic area and language stored in the fourth memory area(col.3 line 38-col.4 line 21).

Regarding claim 13, Kim teaches the portable electronic apparatus as claimed in claim 12, wherein the input device is further operable by the user of the apparatus to

delete the user-selected geographic area and language stored in the third memory area(col.3 line 38-col.4 line 21).

Regarding claim 14, Kim teaches the portable electronic apparatus as claimed in claim 13, wherein the software application is initialized by the control circuitry after the user-selected geographic area and language stored in the third memory area are deleted based on the pre-selected geographic area and language stored in the fourth memory area(col.3 line 38-col.4 line 21).

Regarding claim 15, Kim teaches the portable electronic apparatus as claimed in claim 12, wherein incorrect data stored in the third memory area is automatically deleted and the software application is thereafter initialized by the control circuitry based on the pre-selected geographic area and language stored in the fourth memory area(col.3 line 38-col.4 line 21).

Regarding claim 16, Kim teaches the portable electronic apparatus as claimed in claim 11, wherein the software application comprises an electronic mail application(*col. 1 lines 43-48 and col.3 lines 29-48; displaying of messages via telephony circuitry is electronic mail*).

Response to Arguments

3. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Flanagan et al., Patent #5,966,685 teaches language selection for 'email' translations.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T Phan whose telephone number is 703-305-3206. The examiner can normally be reached on M-TH 8:30-6:30, in every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for

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the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

JTP
August 5, 2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read 'Fan Tsang', written in a cursive style.